

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Raymond Inoue,

Plaintiff

V.

Immigration Customs Enforcement,

Defendant

Case No.: 2:17-cv-03134-JAD-PAL

Order Adopting Report and Recommendation and Dismissing Case

[ECF No. 7]

Pro se plaintiff Raymond Inoue spent nine months in jail at the Southern Desert

10 Correctional Center for committing burglary and carrying a concealed weapon before he was

¹¹ released on parole.¹ He brought this case to request a stay of his pending deportation to the

12 Philippines, but he neither paid the filing fee nor filed an application to proceed *in forma*

¹³ *pauperis.*² This court ordered Inoue to pay the filing fee or file a pauper application and warned

14 him that his case would be dismissed if he did neither.

15 Inoue has now had four months to pay the fee.

15 Inoue has now had four months to pay the fee or

15 Moore has now had four months to pay the fee or file a pauper application, but he has

18 failed to do anything. Magistrate Judge Peggy Eben therefore recommends that I dismiss this

¹⁷ case. The deadline to object to Judge Leen's recommendation was yesterday, April 4, 2018,

and inmate has filed no objections. [T]he review is required of a magistrate judge's report and

19 Recommendation unless objections are filed. Accordingly, with good cause appearing and no

28 REASON TO DELAY, IT IS HEREBY ORDERED that Magistrate Judge Eichen's report and

RECOMMENDATION [ECT NO. 7] IS ACCEPTED AND ADOPTED. THIS CASE IS DISMISSED.

Without prejudice to their liability to the Plaintiff with all costs and expenses arising from the preparation of the

24 |¹ NEV. DEP'T OF CORR. (April 5, 2018) <http://doc.nv.gov/Inmates/Home/> (inmate search by name Raymond Inoue or by offender ID 1178986).

25 ||² ECF No. 1.

26 ||³ ECF No. 7.

²⁷ ²⁸ ⁴ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 filing-fee payment. The **Clerk of Court** is directed to **ENTER JUDGMENT accordingly and**
2 **CLOSE THIS CASE.**

3 Dated: April 5, 2018

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U.S. District Judge Jennifer A. Dorsey
